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IN THE UNITED STATES DISTRICT COURT  
FOR THE OF THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

Szilvia I. Kruss;  
Petitioner,

vs.

No.

Judge Karen M. Wilson,  
DuPage County Sheriff's Office;  
DuPage Deputy Sheriffs A, B, C, D, E;  
Respondents.

**JUDGE COLEMAN  
MAGISTRATE JUDGE HARJANI**

**20CV3097**

**FILED**

7/15/2020

BG

THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

**COMPLAINT**

**NOW COMES** the Plaintiff, Szilvia Kruss, and complaining against  
Defendants states as follows:

1. This is a civil rights action brought pursuant to 42 U.S.C. § 1983 challenging the actions of Defendants Judge Karen M. Wilson (hereafter, "Wilson") and the DuPage County Sheriff's Office (hereafter "DCSO"), and its agents, Officers A, B, C, and D, with respect to unlawful detention of Plaintiff, and seeking a declaration that the Defendant Officers' actions (pursuant to orders from Wilson lacking jurisdiction) in seizing her and detaining her in a public courtroom for 4 hours in front of many people without allowing her any phone calls violated her Fourth and Fourteenth Amendment rights under the United States Constitution, and damages to Plaintiff for the same.
2. Plaintiff is a resident of Will County and was at the time of the events in question.
3. All Defendants are state actors whose jurisdiction is limited to and in DuPage County, Illinois.
4. Venue is thus proper in this Court, and jurisdiction is proper in this Court,

which has jurisdiction over the subject matter of this dispute, which arises under 42 U.S.C. §1983, by virtue of this Court's federal question jurisdiction conferred by 28 U.S.C. §1331.

5. On May 9, 2018, Judge Karen M. Wilson of the eighteenth judicial circuit court of DuPage County ordered incarceration for SZILVIA due to her refusal to sign a medical release regarding her minor daughter's medical records for the Guardian Ad Litem (GAL) in her divorce case, Kim DiGiovanni. Upon her refusal, Judge Karen M. Wilson, ordered SZILVIA to be arrested and detained until her trial in the afternoon, and ordered the GAL to pick up the minor from Will County (outside of the court's jurisdiction) and bring her to court in DuPage County.

6. SZILVIA was concerned about her minor child's safety and rights under HIPAA, and thus, she did not sign the document (which actually the GAL had access to already).

7. Instead of arresting SZILVIA, and transferring her to the DuPage County Jail, and allowing her a phone call, she was handcuffed and left in the courtroom for 4 hours, without basic necessities, unable to talk privately to her attorney, Ms. Nejla Lane, and unable to call her husband or her employer.

8. The DuPage County Sheriff's deputies' refusal to take Szilvia to the DuPage County Jail was based upon Judge Wilson's refusal to transfer Szilvia there.

9. Szilvia was allowed to go to the restroom only once and in handcuffs, and this was cruel and inhumane as other litigants filled the courtroom witnessed the same, and she was humiliated.

10. She was not allowed to speak to her husband or her employer as she was

missing important meetings, thereby endangering her job.

11. MOREOVER, while SZILVIA was handcuffed and sitting in the courtroom waiting for her trial in the afternoon, Judge Karen M. Wilson was holding Court with other litigants in the room.

12. Judge Wilson's order to retrieve the child from another county, which involved detaining and humiliating SZILVIA against her Constitutional rights, was lacking in jurisdiction, thus making it an act not immune from liability.

13. Despite SZILVIA especially signing the release, her child was never returned to her custody (from which she was taken for refusing to sign the release).

Count I: Fourth and Fourteenth Amendment Violations--All Defendants

14. Plaintiff re-alleges and incorporate by reference the allegations in paragraphs 1- 13 above.

15. Defendant illegally seized Plaintiff and detained her in the courtroom, pursuant to an order lacking in jurisdiction (Judge Wilson's order to retrieve the child from another county, outside of her jurisdiction, thus making it an act not immune from liability).

16. Defendants' actions violated Plaintiff's Fourth Amendment rights facially and as applied.

17. Plaintiff suffered damages from the 4 hours of detention, including emotional distress and humiliation.

**WHEREFORE**, Plaintiff, Szilvia Kruss, respectfully requests that this Honorable Court enter an Order:

A. Enter judgment against Karen M. Wilson and the DuPage County Sheriff's Office and Deputies A-E, including compensatory and exemplary damages; and

B. Granting any other relief this Court deems just and equitable.



Respectfully Submitted,

By: /s/ Szilvia Kruss / Pro Se

15963 S. Arbor Dr.

Plainfield, IL 60586

P: (815-715-0930

E-Ma

**VERIFICATION BY CERTIFICATION**

Under penalties as provided by law pursuant to the laws of the United States of America, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that she verily believes the same to be true.



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Szilvia I. Kruss

**FILED**

5/20/2020

JN

**20CV3097**

THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

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PRES

JUDGE COLEMAN  
MAGISTRATE JUDGE HARJANI



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